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**Federal Communications Commission**

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**Before the  
Federal Communications Commission  
Washington, D.C. 20554**

In the Matter of	)	
	)	
Cox Communications, Inc.	)	File No.: EB-FIELDNER-13-00012202
Cable System Operator	)	
	)	NOV No.: V201432340003
	)	
Herndon, Virginia	)	Physical System ID: 000696

**NOTICE OF VIOLATION**

**Released:** December 11 , 2013

By the District Director, Columbia District Office, Northeast Region, Enforcement Bureau:

1. This is a Notice of Violation (Notice) issued pursuant to Section 1.89 of the Commission's rules (Rules)<sup>1</sup> to Cox Communications, Inc. (Cox), operator of a cable system in Herndon, Virginia. Pursuant to Section 1.89(a) of the Rules, issuance of this Notice does not preclude the Enforcement Bureau from further action if warranted, including issuing a Notice of Apparent Liability for Forfeiture for the violation noted herein.<sup>2</sup>

2. On November 14, 2013, in response to a complaint of interference, an agent of the Enforcement Bureau's Columbia District Office inspected Cox's cable system in the area of 2520 Wasser Terr(38.956034 N, -77.428872W), in Herndon, Virginia, and observed the following violation:

47 C.F.R. § 76.613: "(a) Harmful interference is any emission, radiation or induction which ... seriously degrades, obstructs or repeatedly interrupts a radio communication service operating in accordance with this chapter. (b) A multi-channel video programming distributor that causes harmful interference shall promptly take appropriate measures to eliminate the harmful interference." At the time of the investigation, the agent observed signal leakage in the 700 MHz band. The signal was characterized as a continuous digital signal, spanning 704-716 MHz, and causing harmful interference to AT&T's 700 MHz LTE operations.

3. Pursuant to Section 403 of the Communications Act of 1934, as amended,<sup>3</sup> and Section 1.89 of the Rules, we seek additional information concerning the violations and any remedial actions taken. Therefore, Cox must submit a written statement concerning this matter within twenty (20) days of release of this Notice. The response (i) must fully explain each violation, including all relevant

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<sup>1</sup> 47 C.F.R. § 1.89.

<sup>2</sup> 47 C.F.R. § 1.89(a).

<sup>3</sup> 47 U.S.C. § 403.

## Federal Communications Commission

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surrounding facts and circumstances, (ii) must contain a statement of the specific action(s) taken to correct each violation and preclude recurrence, and (iii) must include a time line for completion of any pending corrective action(s). The response must be complete in itself and must not be abbreviated by reference to other communications or answers to other notices.<sup>4</sup>

4. In accordance with Section 1.16 of the Rules, we direct Cox to support its response to this Notice with an affidavit or declaration under penalty of perjury, signed and dated by an authorized officer of Cox with personal knowledge of the representations provided in Cox's response, verifying the truth and accuracy of the information therein,<sup>5</sup> and confirming that all of the information requested by this Notice which is in the licensee's possession, custody, control, or knowledge has been produced. To knowingly and willfully make any false statement or conceal any material fact in reply to this Notice is punishable by fine or imprisonment under Title 18 of the U.S. Code.<sup>6</sup>

5. All replies and documentation sent in response to this Notice should be marked with the File No. and NOV No. specified above, and mailed to the following address:

Federal Communications Commission  
Columbia District Office  
9200 Farm House Lane  
Columbia, Maryland 21046

6. This Notice shall be sent to Cox Communications, Inc., at its address of record.

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<sup>4</sup> 47 C.F.R. § 1.89(c).

<sup>5</sup> Section 1.16 of the Rules provides that "[a]ny document to be filed with the Federal Communications Commission and which is required by any law, rule or other regulation of the United States to be supported, evidenced, established or proved by a written sworn declaration, verification, certificate, statement, oath or affidavit by the person making the same, may be supported, evidenced, established or proved by the unsworn declaration, certification, verification, or statement in writing of such person . . . . Such declaration shall be subscribed by the declarant as true under penalty of perjury, and dated, in substantially the following form . . . : 'I declare (or certify, verify, or state) under penalty of perjury that the foregoing is true and correct. Executed on (date). (Signature)'." 47 C.F.R. § 1.16.

<sup>6</sup> 18 U.S.C. § 1001 *et seq.* See also 47 C.F.R. § 1.17.

## **Federal Communications Commission**

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7. The Privacy Act of 1974<sup>7</sup> requires that we advise you that the Commission will use all relevant material information before it, including any information disclosed in your reply, to determine what, if any, enforcement action is required to ensure compliance.

FEDERAL COMMUNICATIONS COMMISSION

Salomon Satche  
District Director  
Columbia District Office  
Northeast Region  
Enforcement Bureau

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<sup>7</sup> P.L. 93-579, 5 U.S.C. § 552a(e)(3).